

**City of Reading City Council
Regular Business Meeting
Monday, August 22, 2011**

Jeffrey S. Waltman, Vice President of Council, called the meeting to order.

The invocation was given by Reverend Mike McCabe from Kenhorst Seventh Day Adventist Church.

All present pledged to the flag.

ATTENDANCE

Councilor Acosta, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Managing Director C. Geffken

PROCLAMATIONS AND PRESENTATIONS

There were no proclamations and presentations issued at this meeting.

PUBLIC COMMENT

Vice President of Council Waltman announced that one (1) citizens was registered to address Council on agenda topics and four (4) were registered to address non-agenda topics. He inquired if any member of Council objected to suspending the public speaking rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule was suspended. Vice President of Council Waltman reminded the citizens about the remaining public speaking rules.

Robert Jefferson, of Court Street, spoke regarding the City-wide Diversity Board's mission is to encourage the practice of diverse employment for government position. He described the history of the Board and noted the proposed amendment to reduce City-wide Diversity Board membership to nine (9) members. He noted the need for a Council representative to attend City-wide Diversity Board meetings.

Carlos Urgiles, of Jersey City, New Jersey, was not present.

Mike Shoumlisky, of Sinking Spring, requested additional time to speak. He stated that fellow firefighters Andrew Kutz, Larry Moyer, Brian Imboby were registered to speak and were deferring their time to him. He requested 12 additional minutes of speaking time. Vice President of Council Waltman stated that the City Clerk will set the timer for twelve (12) minutes; afterwards the body of Council will decide if comment should continue from there.

Mr. Shoumlisky stated that in 1994 firefighter manpower was increased from 19 to 22 employees. He stated that annually, since then, the Fire Department has been requesting additional manpower but the requests were refused. He also described the inadequate manpower and equipment for the EMS service. He stated that regular requests for increased have also been denied. He stated that as the City's population increases, firefighter and EMS personnel are needed for safety purposes. He stated that approximately 197 calls for service are diverted to County ambulance services annually. He also described the poor conditions at various City firehouses and questioned why the City would spend \$1M on Bandshell improvements rather than doing firehouse repairs. He also noted that while 2011 budget discussions were occurring, the Mayor was either on vacation or visiting other Pennsylvania cities about Act 47 issues.

Mr. Shoumlisky noted the firefighter's willingness to take the pay freeze and some benefit cuts in contract negotiation; however they requested no staff cuts. He reported that the Department was reduced from 22 to 18 firefighter's leaving two engines out of service, which reduces the Fire Departments response time. He noted how the reduction of firefighter staff has created additional on the job injuries. He expressed the belief that Fire and Police are critical core services. He noted the physical and emotional stress caused by staff reductions to Fire and EMS services. He expressed the belief that the manpower cuts have created public safety hazards. He also expressed the belief that the annual September 11th ceremony in City Park has become nothing but rhetorical and political. He suggested that those attending the September 11th services appreciate the Reading Fire Department's services.

APPROVAL OF THE AGENDA & MINUTES

Vice President of Council Waltman called Council's attention to the minutes from August 8th Regular meeting of Council and the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He noted the need for the following amendments and adjustments to the agenda as follows:

- Withdraw both Resolutions for appointments to the Recreation Commission
- Withdraw one (1) Resolution appointing Sarah Jacobson to the Redistricting Committee
- Adding an Award of Contract for Barbey's Playground equipment
- Adding a Resolution appointing Sarah Jacobson to the Citizen's Advisory Board

- Adding a Resolution to the Consent Agenda promoting Officer Jeffrey Stone to Sergeant

Councilor Marmarou moved, seconded by Councilor Reed, to approve the minutes from the August 8th Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda Legislation

A. Resolution 148-2011 - Authorizing the Bank Accounts for the City of Reading for the 2011 Calendar Year as attached in Exhibit A (**Admin Services**)

B. Resolution 149-2011 - authorizing the Mayor to sign and submit an application for a PA DCNR Community Conservation Partnerships Circuit Rider Program Grant for the Circuit Rider Reading Recreation Commission Executive Director and Technical Assistance Project (**Admin Services**)

C. Resolution 150-2011 - intending to follow PennDOT regulations (see attached Exhibit A) re the selection of consultants for project construction inspections (**Law/Public Works**)

D. Resolution 151-2011 – promoting Patrol Officer Jeffrey Stone to sergeant

E. Award of Contract – Land Tech Enterprises, Warrington VA, at a total submitted bid price of \$284,862 for various improvements to Barbey Playground

ADMINISTRATIVE REPORT

Managing Director read the report distributed to Council at the meeting covering the following:

- Update on Graffiti Abatement
- Increase in Trades building permits which has increased the office's annual revenue
- Ricktown clean-up by Reading Beautification Inc. this Saturday
- Mural project planned for Friday, August 27th and Saturday, August 28th from 10am-2pm in the 800 block of Penn St.

Councilor Reed noted the need for clean-ups in additional areas city-wide. The Managing Director asked Council to send clean-up areas to the Managing Director's office so coordination with Reading Beautification can occur.

Ms. Reed also inquired if Reading Beautification will be reimbursed for the clean-up they plan to perform at Reading Redevelopment properties. Managing Director Geffken stated

that RBI would be reimbursed through a line item in the CDBG budget. He stated that currently this line item covers clean-up to various City properties.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2011 Admissions Tax Collection
- 2011 Transfer Tax Collection
- Presentation of the draft external audit at the August 25th Finance meeting and the presentation of the final external audit at the September 12th Regular Meeting of Council

Councilor Acosta inquired about the disposition of the 48 non-taxable properties that have transferred since the beginning of the year. City Auditor Cituk stated that these properties are not all non-profit properties, as some are Sheriff Sale properties, some represent sales between relatives, and some represent properties moving into trust accounts. He also expressed the belief that transfer tax projection stated in the 2011 budget will under perform. Managing Director Geffken confirm the Auditor's belief.

ORDINANCES FOR FINAL PASSAGE

Bill No. 41-2011 - amending the Code of Ordinances of the City of Reading, Berks County, Pennsylvania, fee schedule, Fire Department (aka Department of Fire and Rescue Services) standby charges **(Law)** *Introduced at the August 8 regular meeting*

Councilor Acosta moved, seconded by Councilor Reed, to enact Bill No. 41-2011.

Bill No. 41-2011 was tabled by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, – 6

Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

Vice President of Council Waltman read the following ordinances into the record:

A. Ordinance – amending the fee schedule of the City of Reading **(Bus Analyst)** *To be distributed Monday*

B. Ordinance - amending the Code of Ordinances of the City of Reading, Berks County,

Pennsylvania, fee schedule, to reflect the new rate for Police Department standby charges
(Law)

C. Ordinance - amending Chapter 5, Code Enforcement, Section 1403 Quality of Life Violations and Section 1410 Fines and Penalties of the Codified Ordinances of the City of Reading, adding additional Quality of Life Violations **(Bus Analyst/Law)**

D. Ordinance – amending the Codified Ordinances, Part 20 Solid Waste, Part 2 Dumpster Placement, Section 203 Conditions of Use **(Bus Analyst/Law)**

E. Ordinance - Amending the Code of Ordinances, City of Reading, Chapter 1, Part 5 Boards, Departments and Commissions, O. Diversity Board, Section 1-599.53 Membership to reduce the number of members from thirteen to nine **(Law)** *To be distributed Monday*

F. Ordinance - amending the International/City of Reading Building Code, Existing Building Code, Plumbing Code, Electrical Code, Mechanical Code, and Residential Code and as adopted by the City of Reading and Codified in Chapter 5, Code Enforcement by amending the placard removal fee and requiring in house accessibility plan reviews **(Law)**

G. Ordinance - amending the International/City of Reading Building Code, as adopted by the City of Reading and Codified in Chapter 5, Code Enforcement, by amending the placard removal fee and requiring in house accessibility plan reviews **(Law)**

RESOLUTIONS

Resolution 84-2011 - that the City of Reading consents to the sale of the Elm View Apartments Limited Partnership project property and the Mayor of the City of Reading is authorized to execute any and all documents required for the assignment of the above referenced loan and to modify certain Note and/or Loan Agreement terms, including but not limited to deferral of the July 2011 balloon payment, possible forgiveness of said balloon payment, and review of the July 2026 balloon payment for status determination **(Law/Community Development)** *Tabled at the May 23 June 13, June 27, July 11 and July 25 regular meetings*

Managing Director Geffken stated that the Administration wishes to withdraw this resolution from Council consideration.

Resolution 152–2011 - reappointing Councilors Vaughn Spencer, Francis Acosta, and Stratton Marmarou to the Local Redevelopment Authority **(Council Staff)**

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt

Resolution No. 152-2011.

Resolution No. 152-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman – 6

Nays: None – 0

Resolution 153-2011 - appointing Sarah Jacobson to the Citizen's Advisory Committee (Admin Oversight)

Resolution 154-2011 - appointing JoAnne Brancadora to the Redistricting Committee (Admin Oversight)

Resolution 155-2011 – appointing William Seidel to the Redistricting Committee (Admin Oversight)

Councilor Reed moved, seconded by Councilor Acosta, to adopt Resolution No. 153-2011, 154-2011, and 155-2011.

Councilor Marmarou noted the skill and qualifications of those being appointed this evening.

Councilor Reed noted the experience Mr. Seidel has with election services in District 5.

Councilor Goodman-Hinnershitz noted the experience of Ms. Jacobson and Ms. Brancadora.

Resolution No. 153-2011, 154-2011, and 155-2011 were adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman – 6

Nays: None – 0

Resolution 156–2011 - substituting a Letter of Credit for the Series D 2008 Bonds (Bond Counsel)

Councilor Acosta moved, seconded by Councilor Marmarou, to adopt Resolution No. 156-2011.

Managing Director Geffken explained the need for the City to find a new bank relationship which will reduce the City's costs for the Series-D 2008 bonds. He stated that the City will save approximately \$200K annually.

Resolution No. 156-2011 was adopted by the following vote:

Yeas: Acosta, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman – 6

Nays: None – 0

COUNCIL COMMENT

Councilor Marmarou noted the erroneous newspaper article that described the recent Reading Redevelopment Authority meeting concerning the Navy Marine Center. He stated that the Reading Redevelopment Authority did not give the Navy Marine Center to Mary's Shelter. He stated that decisions about the disposition of the Navy Marine Center are made by the Local Redevelopment Authority.

Councilor Goodman-Hinnershitz addressed the concerns expressed by Mr. Shoumlisky. She noted the need for Council and the Administration to consider multiple issues and attempt to find a balance to fund City services. She stated that she respects and admires the services the Fire employees provide to the City and its residents. She noted the difficulty of considering certain needs versus finding proper financial resources. She stated that she supports and respects the work of the City's Fire Department.

Councilor Acosta also addressed Mr. Shoumlisky's concerns. He stated that he understands the issues expressed by Mr. Shoumlisky and the frustration of Fire Department employees. He noted the difficulty of the 2011 budget. He stated that errors made in multiple prior years combined with the current economy have left the City in precarious circumstances. He noted the need to obtain a better understanding of Fire Department issues; however he noted the need for the City to follow the Act 47 Recovery Plan requirements. He also noted the various fire hazards that exist in Reading.

Councilor Acosta announced the upcoming District 1 town meeting at Saint Constantine's and Helen's Greek Orthodox Church.

Vice President of Council Waltman noted the need for the Diversity Board to provide more timely notice of the City-wide Diversity Board meetings. He stated that more timely notice will allow Council members to arrange and attend the meetings.

Vice President of Council Waltman noted his respect for the Fire Department and their employees. He expressed the belief that the City's housing stock is so run down that it also creates hazards for firefighters. He also noted that the unwieldy number of rental properties also present problems as firefighters do not know how many residents reside at the property. He stated that he greatly admires the services provided by the firefighters. City
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Vice President of Council Waltman announced the upcoming meeting schedule.

Councilor Marmarou announced the College Heights Community Council meeting scheduled for August 23rd at 7pm at Nativity Lutheran Church regarding the Caum Home lawsuit.

Councilor Acosta moved, seconded by Councilor Reed, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk